

Serial No. 10/003,723
Reply Dated: August 4, 2005
Reply to Office Action Mailed February 10, 2005
Attorney Docket No. 3036/50649

REMARKS

A Request for Continued Examination has been submitted concurrently herewith, requesting that the amendment submitted May 10, 2005 be entered. In addition, Applicants have further amended Claim 1, as set forth above, based on the version of the (now entered) May 10 amendment.

In the Advisory Action mailed May 25, 2005, the Examiner indicated that the rejection under 35 U.S.C. §112, first and second paragraphs, set forth in items 5 through 8 of the final Office Action dated February 10, 2005 have been overcome.

Claims 1-4, 7-10 and 15-17 have been rejected under 35 U.S.C. §103(a) as unpatentable over Alewine et al in view of Tsukamoto et al, while Claims 5, 6 and 19-21 have been rejected as unpatentable over the same two references and further in view of Grube et al and Claims 12-14 have been rejected over the same two references and further in view of Tracy et al. However, for the reasons set forth hereinafter, Applicants respectfully submit that all claims of record in this application distinguish over the cited references, whether considered separately or in combination.

Both the present invention, and the Alewine et al reference are described in some detail in the Remarks which accompany the amendment dated May 10, 2005 at Claims 17-18. By the foregoing amendment, Claim 1 has been further revised to recite more specifically that the "location-specific data" in this case are obtained by remote monitoring stations situated at dispersed fixed geographic locations, which detect information regarding ambient conditions prevailing at such fixed locations. Moreover, the "location-specific data" are indicative of the information detected by the monitoring station. Accordingly, the data are "location-specific" in the sense that they characterize prevailing local conditions at a particular fixed location.

The Alewine et al reference discloses a traffic monitoring system in which each of a plurality of mobile units carried aboard vehicles has a position determining system and a wireless communications ability, such as a cellular phone. (See, for example, Column 3, lines 21-28.) Position and speed information regarding each such mobile unit are broadcast periodically to a central monitoring station 120. Grube et al, on the other hand, discloses a method and apparatus for monitoring environmental conditions, in which each subscriber 22 includes an environmental sensor 37, 40, as indicated in Figure 2. Upon sensing environmental conditions, the subscriber provides information about the sensed environmental conditions to infrastructure equipment over the wireless communication path.

Neither Alewine et al nor the other cited references, however, teaches or suggests a method for collecting location-specific data from geographically dispersed remote monitoring stations situated at fixed geographic locations, by relaying such location-specific information to a base station via mobile telephone units which pass through the transmission range of the remote monitoring stations, as defined by the steps in Claim 1. In Alewine et al, in particular, the transmitted data consist of location information indicative of the location of the mobile units themselves, which are carried aboard vehicles. Neither Alewine et al nor the other references suggests the dynamically changing communications network which takes advantage of the transient presence of mobile units within a communication range of a data collection point, as defined in claims of the present application.

In this regard, Applicants note that the continuation of item 11 of the Advisory Action dated May 25, 2005, indicates that Alewine et al discloses a GPS receiver which receives "location-dependent data wirelessly from satellites which are orbiting the earth". While such signals undoubtedly emanate from sources outside the GPS units themselves, Applicants note that Claim 1 recites, among other things, that the location-specific data, which are received by the mobile phone unit, are in turn transmitted to the base station by the mobile telephone unit. Thus, the GPS signals referred to in the Advisory Action differ from the location-specific data according to Claim 1, which are "indicative of" "information

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regarding ambient conditions at a fixed location" at which the monitoring station is situated, and they are not relayed to the base station, as recited in Claim 1.

Finally, Applicants take note of the proposed rejections set forth in the continuation of item 13 in the Advisory Action. However, at this point, such rejections have not been made, and in view of the amendments set forth above, it is unknown whether they will be entered, or what arguments might be made in support of them. Accordingly, Applicants will respond to such grounds of rejection when and if they are asserted.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

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please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #3036/50649).

Respectfully submitted,



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